

APPROVED SEPTEMBER 10, 2003



**MINUTES
SCOTTSDALE PLANNING COMMISSION
KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
AUGUST 27, 2003**

PRESENT: David Gulino, Chairman
Steve Steinberg, Vice Chairman
David Barnett, Commissioner
James Heitel, Commissioner
Eric Hess, Commissioner
Tony Nelssen, Commissioner
Jeffery Schwartz, Commissioner

STAFF: Pat Boomsma
Tim Curtis
Laurel Edgar
Randy Grant
Kurt Jones

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:10 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

COMMISSIONER BARNETT read the opening statement, which describes the role of the Planning Commission and the procedures used in conducting this meeting.

MINUTES APPROVAL

June 25, 2003
July 9, 2003

APPROVED

COMMISSIONER HEITEL MADE A MOTION TO APPROVE THE JUNE 25, 2003 AND JULY 9, 2003 MINUTES AS PRESENTED. SECOND BY COMMISSIONER HESS.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

CONTINUANCES

5-ZN-1992#3 (Boulders Villas) request by LVA Urban Design Studio, applicant, Wyndham International, owner, for site plan approval per zoning stipulations from 5-ZN-1992 on a 18.1 +/- acre parcel located at the Northeast corner of Westland Road and Scottsdale Road with Planned Neighborhood Center, Planned Community District, Environmentally Sensitive Lands (PNC, PCD, ESL) and Central Business District, Planned Community District, Environmentally Sensitive Lands (C-2, PCD, ESL) zoning. **Continued to October 8, 2003.**

MR. GRANT stated the applicant has requested more time to work out issues with this project and requested it be continued to the October 8, 2003, Planning Commission meeting.

EXPEDITED AGENDA

10-UP-2003 (Benchmark design) request by Benchmark Design, applicant, BH Enterprises of Arizona, owner, for a conditional use permit for Furniture Manufacturing or Refinishing in an existing building located at 7848 E Redfield Road with Industrial Park District (I-1) zoning.

MR. GRANT provided a brief overview of this case as per the project coordination packet. Staff recommends approval subject to the attached stipulations.

12-UP-2003 (Basis Charter School) request by Jordan Bischoff McGuire & Rose PLC, applicant, Scorpius Corporation, owner, for a conditional use permit for a Private/Charter School on a 1 +/- acre parcel located at 9128 E San Salvador with Industrial Park, Planned Community District (I-1, PCD) zoning.

MR. GRANT provided a brief overview of this case as per the project coordination packet. He stated the applicant has requested the following new stipulation be added:

Applicant shall complete the roadway/accessory improvements to their parking lot configuration within 6 months of final City Council approval and shall be permitted to occupy the building while these parking/ accessory improvements are being completed. A temporary drop off/pick up plan shall be submitted by the applicant and approved by City Staff prior to applicant's occupation of the building.

Staff recommends approval subject to the attached and new stipulations.

13-UP-2003 (DC Ranch Village Health Studio And Spa) request by Biskind, Hunt & Taylor, P.L.C., applicant, DC Ranch L.L.C., owner for a conditional use permit for a health studio on a 6.3 +/- acre parcel located at the southeast corner of Union Hills Drive

and Thompson Peak Parkway with Planned Commercial Center, Planned Community District (PCC, PCD) zoning.

MR. GRANT provided a brief overview of this case as per the project coordination packet. Staff recommends approval subject to the attached stipulations.

COMMISSIONER SCHWARTZ MOVED TO FORWARD CASES 10-UP-2003, 12-UP-2003, AND 13-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO IT MEETS THE USE PERMIT CRITERIA. SECOND BY COMMISSIONER HEITEL.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

9-ZN-2003 (McDowell Village) request by City of Scottsdale, applicant/owner, to rezone from Regional Shopping Center District (C-S) to Planned Community District (PCD) with underlying zoning comparable to Regional Shopping Center District (C-S) and Multi-Family Residential District (R-5) on a 13.3 +/- acre parcel located near the northwest corner of Granite Reef and McDowell Roads.

15-UP-2003 (McDowell Village) request by City of Scottsdale, applicant/owner, for a Municipal Use Master Site Plan for a Senior Center on a portion of a 13.3 +/- acre parcel located near the northwest corner of Granite Reef and McDowell Roads.

MR. CURTIS presented cases 9-ZN-2003 and 15-UP-2003 as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

MS. EDGAR provided a detailed explanation of the project. She presented background information on the purchase of this land and the neighborhood outreach. She reviewed the mixed uses proposed for this project. She also reviewed the amended development standards.

Ms. Edgar stated in response to Commissioner Heitel's question last week, regarding the Police Department, there is a police beat office on the south side of Scottsdale. The Police Department did not think there was a need for a full-time police officer on the site.

COMMISSIONER NELSEN stated he is concerned that there are not enough mature trees on the site. He reported that for something like 21 years in a row Scottsdale has received the Tree City USA Award. He further stated that he felt they should come to some sort of a compromise regarding the number of trees on the site. He inquired about the reason for the reduction in trees. Ms. Edgar stated after reviewing the plans they felt it would be very difficult to get to the number of required trees. They felt it would look over grown. They would not have the feeling they wanted for the site. Commissioner Nelsen stated he could see that logic but still felt there could be some type of compromise. He further stated the use of mature types of trees in the northern part of the city are mandated and he does not want to give the appearance that for some reason they are cutting corners on McDowell Road. Ms. Edgar stated in the amended

standards they may have set the bar too low but the intent is not to provide the minimum but provide an amount that would work and be up to Scottsdale's standards.

COMMISSIONER HEITEL inquired if they would have a security officer on the site. Ms. Edgar stated the developer of the Senior Housing project is looking at having a security guard on the site but it is not a requirement. She further stated because of the clientele security will be addressed.

Commissioner Heitel inquired if they are comfortable that the amount of parking being provided for this project would be sufficient for this project. He also inquired if they are going to see services or uses at the senior center, especially at night, reduced because they are not parking efficiently. Ms. Edgar discussed the assumptions that were made in the parking study. She reviewed how the parking ratios were determined. She presented information on the research that went into determining the parking needed for this project. She noted many people at the senior housing no longer drive. She noted with all of the uses on the site they felt there would be adequate parking.

COMMISSIONER BARNETT stated this project is baffling to him in the fact that this is a neighborhood unfriendly project. He further stated that looking at the site plan there are no trees along the back edge of the site. There are no trees differentiating between the building and the neighborhood. He remarked he understands there has been neighborhood input and the neighbors are somewhat satisfied, but they are not going to be there in 15 or 20 years when this project is still there. He further remarked that it does not seem like they are doing what they should be doing as a city. What they should be doing is a project that takes care of our neighborhoods. He added this site does not take into consideration the neighborhoods.

MS. EDGAR stated that with regard to Elm Drive they have agreed with staff that this could be a pedestrian access. The intent is that there would never be vehicular access. She stated this area would be landscaped. She discussed the issue associated with the landscaping along the north side of the alley noting it was their original intent to line it with trees but the neighborhood were not in favor. She noted that the utility lines are also located in the alleyways. She further noted taking all of the factors into consideration they determined they would not put trees in there but have some type of bush to assist as a sound barrier. They are working with the neighbors on this issue.

COMMISSIONER BARNETT stated that there is not a stipulation to address the Elm Street Drive so he requested that be included in the motion. He further stated looking at this project; he felt there should be some type of barrier between a three-story building looking into the backyards. He suggested they take another look at the rear wall separating the project from the neighborhood and do more than what is proposed.

CHAIRMAN GULINO reminded the Commission that they are not here to discuss the specific landscape plan noting that is a DR Board issue.

(CHAIRMAN GULINO OPENED PUBLIC TESTIMONY.)

GLADYS OLSON, 7312 E. Palm Lane, stated she goes to the Senior Center on 2nd Street everyday and is amazed by all of the new faces that appear weekly so she knows this will be a popular project. She further stated they need to have adequate parking for

this facility but there are many seniors who no longer drive. She further reported she felt this is a wonderful concept. She concluded she hopes they can get the project going as fast as possible.

NORWOOD SISSON, 7431 E. Portland, stated if they want to talk about setbacks they should look at the McDowell streetscape plan. He further stated the Los Arco Redevelopment Plan is planned for commercial and is not planned for residential or public buildings. He remarked that this area should be commercial and if they are considering anything other than commercial; they should be considering an amendment to the redevelopment plan.

NANCY CARTER, 2529 N. 86th Street, stated she has been working on this since 1996 and is happy to say that most of the work that has been done has been in conjunction with what the neighborhood wanted. She further stated there were concerns with landscaping in the neighborhood that they would have problems with transients, views would be blocked, and not so nice activities would occur in the alleyways. The neighbors were also very adamant about maintaining access through the alleyways. She noted there would be opportunities for things to happen down the road. One of the things the neighborhood has discussed is forming a garden club to help add to landscaping later down the road.

(CHAIRMAN GULINO CLOSED PUBLIC TESTIMONY.)

CHAIRMAN GULINO inquired if the landscaping plan in their packets has been changed. Ms. Edgar stated the landscape plan in their packets does not reflect the Elm Drive landscaping nor change to the north side of Granite Reef and they have not designed the interior space.

Chairman Gulino requested legal counsel comment regarding the issue raised by Mr. Sisson. Ms. Boomsma stated this issue has been raised and is a matter of some litigation noting she does not know all of the details of the litigation. She further stated since it is litigation she would rather not discuss the City's legal position except to say they believe they comply with the law.

Chairman Gulino inquired about the status of the development agreement.

JOHN BERRY, 4800 N. Scottsdale Road, legal counsel for the RED Group the senior housing developer, stated they are in the process of drafting a development agreement with the city. He noted they would be working with the city on the landscaping. He further noted his client wants to make sure this project is as high quality as the private sector would do.

COMMISSIONER NELSEN stated he had a conversation with Mr. Berry and he was advised this project would be as nice or nicer than anything built in the City. He inquired if that is still an accurate statement. Mr. Berry replied it is the intent of his client to make this project as nice or nicer in terms of a multi-family residential project.

CHAIRMAN GULINO stated he is not convinced that the justification for the amendment to the landscaping would be appropriate. Ms. Edgar stated they would agree to being

stipulated to a higher percentage of mature trees, which they are planning on providing more. They have agreed to work with the neighborhood regarding proper tree placement. Mr. Berry stated he would appreciate that they recognize the unique circumstances of this senior-housing component and have the modified standard apply to the housing component and not penalize them for having smaller units that meet the market for seniors.

CHAIRMAN GULINO stated he would be comfortable approving the amendment and request the DR Board pay particular attention to the landscaping needs on the site.

COMMISSIONER BARNETT MOVED TO FORWARD CASE 9-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. HE ALSO MOVED TO FORWARD 15-UP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO IT MEETS THE USE PERMIT CRITERIA, THE PCD ZONING, AND WITH THE FOLLOWING STIPULATIONS:

- 1) THE ELM DRIVE DRIVEWAY IS CLOSED TO VEHICULAR TRAFFIC AND IS INCLUDED AS PEDESTRIAN ACCESS.**
- 2) WITH A NOTE TO THE DEVELOPMENT REVIEW BOARD THAT THEY PAY PARTICULAR ATTENTION TO THE LANDSCAPING NEEDS OF THE SITE.**

SECOND BY HEITEL.

COMMISSIONER NELSEN stated the maker of the motion might want to consider adding that the municipal factor in this project pay as much attention to the degree, detail and character of the architecture project as the private.

COMMISSIONER BARNETT stated he would not amend his motion because that is the assumption they will make.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ONE (1) WITH COMMISSIONER NELSEN DISSENTING.

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 6:20 p.m.

Respectfully Submitted,

"For the Record " Court Reporters

APPROVED